

Voluntary Petition

Voluntary Petition (This page must be completed and filed in every case)		Document Page 2 of 12 Davis-Wiley, LaJune T		FORM B1, Page 2	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)					
Location Where Filed: SEE ATTACHMENT A		Case Number:		Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)					
Name of Debtor: - None -		Case Number:		Date Filed:	
District:		Relationship:		Judge:	
Signatures					
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.			Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		
X <u>/s/ LaJune T Davis-Wiley</u> Signature of Debtor LaJune T Davis-Wiley			Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.		
X _____ Signature of Joint Debtor			X <u>/s/ Daniel J Winter</u> August 23, 2005 Signature of Attorney for Debtor(s) Date Daniel J Winter 6208223		
_____ Telephone Number (If not represented by attorney)			Exhibit C Does the debtor own or have possession of any property that poses a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No		
_____ August 23, 2005 Date					
Signature of Attorney X <u>/s/ Daniel J Winter</u> Signature of Attorney for Debtor(s) Daniel J Winter 6208223 Printed Name of Attorney for Debtor(s) Law Offices of Daniel J Winter Firm Name 53 W Jackson Boulevard Suite 725 Chicago, IL 60604 Address Email: djw@dwinterlaw.com 312-427-1613 Fax: 312-663-1312 Telephone Number August 23, 2005 Date			Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. _____ Printed Name of Bankruptcy Petition Preparer _____ Social Security Number (Required by 11 U.S.C. § 110(c).) _____ Address Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.		
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.			X _____ Signature of Bankruptcy Petition Preparer _____ Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.		
X _____ Signature of Authorized Individual _____ Printed Name of Authorized Individual _____ Title of Authorized Individual _____ Date					

In re LaJune T Davis-Wiley

Debtor(s)

Case No. _____

FORM 1. VOLUNTARY PETITION
Attachment A

Prior cases

99-21631 ND ILL Ch 13

00-20318 ND ILL Ch 13

01-21171 ND ILL Ch 13 Filed 6/14/01

04-23044 ND ILL Ch 13 filed 10/20/04

United States Bankruptcy Court
Northern District of Illinois

In re LaJune T Davis-Wiley

Debtor(s)

Case No.

Chapter 13

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	\$	<u>2,200.00</u>
Prior to the filing of this statement I have received.....	\$	<u>300.00</u>
Balance Due.....	\$	<u>1,900.00</u>

2. \$ 194.00 of the filing fee has been paid.

3. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify):

4. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

5. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

6. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - [Other provisions as needed]

Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.

7. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

Representation of the debtors in any dischargeability actions, judicial lien avoidances, or any other adversary proceeding.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: August 23, 2005

/s/ Daniel J Winter

Daniel J Winter 6208223
Law Offices of Daniel J Winter
53 W Jackson Boulevard
Suite 725
Chicago, IL 60604
312-427-1613 Fax: 312-663-1312
djw@dwinterlaw.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

**RIGHTS AND RESPONSIBILITIES AGREEMENT BETWEEN
CHAPTER 13 DEBTORS AND THEIR ATTORNEYS
(Model Retention Agreement)**

Chapter 13 gives debtors important rights, such as the right to keep property that could otherwise be lost through repossession or foreclosure—but Chapter 13 also puts burdens on debtors, such as the burden of making complete and truthful disclosures of their financial situation. It is important for debtors who file a Chapter 13 bankruptcy case to understand their rights and responsibilities in bankruptcy. In this connection, the advice of an attorney is often crucial. Debtors are entitled to expect certain services to be performed by their attorneys, but again, debtors have responsibilities to their attorneys also. In order to assure that debtors and their attorneys understand their rights and responsibilities in the Chapter 13 process, the judges of the Bankruptcy Court for the Northern District of Illinois have approved the following agreement, setting out the rights and responsibilities of both debtors in Chapter 13 and their attorneys. By signing this agreement, debtors and their attorneys accept these responsibilities.

BEFORE THE CASE IS FILED

THE DEBTOR AGREES TO:

1. Discuss with the attorney the debtor's objectives in filing the case.
2. Provide the attorney with full, accurate and timely information, financial and otherwise, including properly documented proof of income.

THE ATTORNEY AGREES TO:

1. Personally counsel the debtor regarding the advisability of filing either a Chapter 13 or a Chapter 7 case, discuss both procedures (as well as non-bankruptcy options) with the debtor, and answer the debtor's questions.
2. Personally explain to the debtor that the attorney is being engaged to represent the debtor on all matters arising in the case, as required by Local Bankruptcy rule and explain how and when the attorney's fees and the trustee's fees are determined and paid.
3. Personally review with the debtor and sign the completed petition, plan, statements, and schedules, as well as all amendments thereto, whether filed with the petition or later. (The schedules may be initially prepared with the help of clerical or paralegal staff of the attorney's office, but personal attention of the attorney is required for the review and signing.)

4. Timely prepare and file the debtor's petition, plan, statements, and schedules.
5. Explain to the debtor how, when, and where to make all necessary payments, including both payments that must be made directly to creditors and payments that must be made to the Chapter 13 trustee, with particular attention to housing and vehicle payments.
6. Advise the debtor of the need to maintain appropriate insurance.

AFTER THE CASE IS FILED

THE DEBTOR AGREES TO:

1. Make the required payments to the trustee and to whatever creditors are being paid directly, or, if required payments cannot be made, to notify the attorney immediately.
2. Appear punctually at the meeting of creditors (also called the "341 meeting") with recent proof of income and a picture identification card. (If the identification card does not include the debtor's social security number, the debtor will also bring to the meeting a social security card.) The debtor must be present in time for check-in and when the case is called for the actual examination.
3. Notify the attorney of any change in the debtor's address or telephone number.
4. Inform the attorney of any wage garnishments or liens or levies on assets that occur or continue after the filing of the case.
5. Contact the attorney immediately if the debtor loses employment, has a significant change in income, or experiences any other significant change in financial situation (such as serious illness, lottery winnings, or an inheritance).
6. Notify the attorney if the debtor is sued or wishes to file a lawsuit (including divorce).
7. Inform the attorney if any tax refunds to which the debtor is entitled are seized or not received when due from the IRS or Illinois Department of Revenue.
8. Contact the attorney before buying, refinancing, or selling real property, and before entering into any loan agreement.

THE ATTORNEY AGREES TO:

1. Advise the debtor of the requirement to attend the meeting of creditors, and notify the debtor of the date, time, and place of the meeting.
2. Inform the debtor that the debtor must be punctual and, in the case of a joint filing, that both spouses must appear at the same meeting.

3. Provide knowledgeable legal representation for the debtor at the meeting of creditors (in time for check-in and the actual examination) and, unless excused by the trustee, for the confirmation hearing.
4. If the attorney will be employing another attorney to attend the 341 meeting or any court hearing, personally explain to the debtor in advance, the role and identity of the other attorney and provide the other attorney with the file in sufficient time to review it and properly represent the debtor.
5. Timely submit to the Chapter 13 trustee properly documented proof of income for the debtor, including business reports for self-employed debtors.
6. Timely respond to objections to plan confirmation and, where necessary, prepare, file, and serve an amended plan.
7. Timely prepare, file, and serve any necessary amended statements and schedules and any change of address, in accordance with information provided by the debtor.
8. Monitor all incoming case information (including, but not limited to, Order Confirming Plan, Notice of Intent to Pay Claims, and 6-month status reports) for accuracy and completeness. Contact the trustee promptly regarding any discrepancies.
9. Be available to respond to the debtor's questions throughout the term of the plan.
10. Prepare, file, and serve timely modifications to the plan after confirmation, when necessary, including modifications to suspend, lower, or increase plan payments.
11. Prepare, file, and serve necessary motions to buy or sell property and to incur debt.
12. Object to improper or invalid claims.
13. Timely respond to the Chapter 13 trustee's motions to dismiss the case, such as for payment default, or unfeasibility, and to motions to increase the percentage payment to unsecured creditors.
14. Timely respond to motions for relief from stay.
15. Prepare, file, and serve all appropriate motions to avoid liens.
16. Provide any other legal services necessary for the administration of the case before the bankruptcy court.

ALLOWANCE AND PAYMENT OF ATTORNEYS' FEES [*Check one option.*]

☒ Option A: flat fee through confirmation

☐ Option B: flat fee through case closing

1a. *Pre-confirmation services.* Any attorney retained to represent a debtor in a Chapter 13 case is responsible for representing the debtor on all matters arising in the case, unless otherwise ordered by the court. For all of the services outlined above, required to be provided before confirmation of a plan, the attorney will be paid a fee of \$ 2,200.00. In extraordinary circumstances, such as extended evidentiary hearings or appeals, the attorney may apply to the court for additional compensation for pre-confirmation services. Any such application must be accompanied by an itemization of the services rendered, showing the date, the time expended, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified of the right to appear in court to object.

1. Any attorney retained to represent a debtor in a Chapter 13 case is responsible for representing the debtor on all matters arising in the case unless otherwise ordered by the court. For all of the services outlined above, the attorney will be paid a fee of \$ N/A. In extraordinary circumstances, such as extended evidentiary hearings or appeals, the attorney may apply to the court for additional compensation for these services. Any such application must be accompanied by an itemization of the services rendered, showing the date, the time expended, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified of the right to appear in court to object.

1b. *Post-confirmation services.* Compensation for services required after confirmation will be in such amounts as are allowed by the court, on application accompanied by an itemization of the services rendered, showing the date, time, and the identity of the attorney performing the services. The debtor must be served with a copy of the application and notified that the debtor may appear in court to object.

2. *Early termination of the case.* Fees payable under the provisions set out above are not refundable in the event that the case is dismissed before confirmation (Option A) or completion of plan payments (Option B), unless the dismissal is due to a failure by the attorney to comply with the duties set out in this agreement. If a dismissal is due to such a failure by the attorney, the court may order a refund of fees on motion by the debtor.

3. *Retainers.* The attorney may receive a retainer or other payment before filing the case, but may not receive fees directly from the debtor after the filing of the case. In any application for fees, whether or not requiring an itemization, the attorney shall disclose to the court any fees paid by the debtor prior to the case filing.

4. *Improper conduct by the attorney.* If the debtor disputes the sufficiency or quality of the legal services provided or the amount of the fees charged by the attorney, the debtor may file an objection with the court and request a hearing.

5. *Improper conduct by the debtor.* If the attorney believes that the debtor is not complying with the debtor's responsibilities under this agreement or is otherwise not engaging in proper conduct, the attorney may apply for a court order allowing the attorney to withdraw from the case.

6. *Discharge of the attorney.* The debtor may discharge the attorney at any time.

Date:

August 23, 2005

Total fee to be paid for attorney's services: \$ 2,200.00
(Do not sign if this line is blank.)

Signed:

/s/ LaJune T Davis-Wiley

LaJune T Davis-Wiley

/s/ Daniel J Winter

Daniel J Winter 6208223

Attorney for Debtor(s)

Debtor(s)

**United States Bankruptcy Court
Northern District of Illinois**

In re **LaJune T Davis-Wiley**

Debtor(s)

Case No.

Chapter

13

VERIFICATION OF CREDITOR MATRIX

Number of Creditors: **46**

The above-named Debtor(s) hereby verifies that the list of creditors is true and correct to the best of my (our) knowledge.

Date: **August 23, 2005**

/s/ LaJune T Davis-Wiley

LaJune T Davis-Wiley

Signature of Debtor

Case 05-33362
Allied Interstate
3200 Northline Ave #160
Greensboro, NC 27408

Doc 1

Filed 08/23/05 Entered 08/23/05 14:36:37 Desc Main Document Page 11 of 12
County Bank American
PO Box 608
Oxford, MS 38655-0608

Heller & Frisone, Ltd
33 N. LaSalle Street
Suite 1200
Chicago, IL 60602

cash to Go
2 W Madison
Suite 200
Oak Park, IL 60302

DePaul University
Pmt Ctr Lock Box 71770
Chicago, IL 60694

Internal Revenue Service
Suite 2300
200 West Adams Street
Chicago, IL 60606

Chadwicks of Boston
Po Box 659562
San Antonio, TX 78265-9562

Empress Casino Hammond
c/o Wexler & Wexler
500 W. Madison-Suite 2910
Chicago, IL 60661-2587

Jewel-Osco
c/o Heller & Frisone
33 N. LaSalle St #1200
Chicago, IL 60602

Chicago furniture
4238 S. Cottage Grove
Chicago, IL 60653

Family Wellness Ctr
c/o ICS
4647 W 103rd St
Oak Lawn, IL 60453

Keller Graduate School
One Tower Ln 9th Fl
Ste 1000
Villa Park, IL 60181

Chicago imaging
c/o MBB
PO Box 1219
Park Ridge, IL 60068

FCNB
PO Box 2779
Portland, OR 97208

LaSalle Bank
c/o TRS
PO Box 17170
Denver, CO 80217-0170

City Clerk
121 N LaSalle Rm 107
Chicago, IL 60602

GRC
PO Box 495999-01AS
Cincinnati, OH 45249-5999

Lerner
PO Box 659562
San Antonio, TX 78265

City of Chicago Water
Suite LL 10
333 South LaSalle Street
Chicago, IL 60604

Harrah's
150 N Scott St
Joliet, IL 60432

Medical Imaging Ltd
c/o MBB
1460 Renaissance D400
Park Ridge, IL 60068

Columbia House
Terre Haute, IN 46321

Harris & Harris
100 S. Wacker Dr
Suite 225
Chicago, IL 60606

MGM Grand
3799 Las Vegas Blvd South
Las Vegas, NV 89101-4319

Com Ed
Bill Payment Center
Chicago, IL 60668-0001

Harris & Harris, Ltd
600 W. Jackson Blvd
Suite 400
Chicago, IL 60661

Midwest OBGYN
c/o ICS
4647 W 103rd St
Oak Lawn, IL 60453

Countrywide Home Loans
PO Box 66025
Dallas, TX 75266-0625

Harris Directory
POBox 41135
Norfolk, VA 23541

Palisades Collection
POBox 1274
Englewood Cliffs, NJ 07632

Pierce & Associates
1 North Dearborn
Suite 1300
Chicago, IL 60602

United Cash
c/o Cert Recovery Systems
7207 RegencySquareBlvd
Houston, TX 77036-3110

Prentice Hall
4940 Johnson Dr
Des Moines, IA 50336-1022

University of Illinois
Surgery-135 S LaSalle
Dept 3449
Chicago, IL 60674

Providian Bancorp
4940 Johnson Dr
Pleasanton, CA 94566

US Dept of Education
Direct Loans
PO Box 530260
Atlanta, GA 30353-0260

Roosevelt University
c/o NCO
PO Box 27141
Baltimore, MD 21230-0141

Women's Workout World
16015 S Harlem
Tinley Park, IL 60477

Sam's Club Credit Card
PO Box 530942
Atlanta, GA 30353-0942

Wow Internet
PObox 6300
Colorado Springs, CO

SBC Midwest
c/o Risk Management
2675 Breckinridge
Duluth, GA 30096

Silhoutettes
340 Poplar St
Hanover, PA 17331

Sprint
c/o NCO
PO box 41457
Philadelphia, PA 19101-1457

TCF Bank
C/o American Coll Corp
919 W Estes
Schaumburg, IL 60193